

Message Text

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FM AMEMBASSY BERN

TO SECSTATE WASHDC PRIORITY 2239

INFO USMISSION GENEVA

AMCONSUL ZURICH

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EO 11652: N/A

TAGS: CPAS CGEN AFSP

SUBJ: CONSULAR SERVICES AT GENEVA

REF: STATE 41378

1. APPRECIATE DEPT'S CONCURRENCE IN PROPOSAL TO MOVE PART OF BERN CONSULAR SECTION TO GENEVA. WE ARE CONFIDENT THAT MOVE WILL MEAN IMPROVED CONSULAR SERVICE FOR AMERICANS IN SWITZERLAND AND WILL ALSO PERMIT MORE EXPEDITIOUS HANDLING OF THE DIPLOMATIC AND OFFICIAL U.N. VISA WORK GENERATED IN GENEVA. WE PROPOSE TO OPEN GENEVA OFFICE FOR BUSINESS ON THURSDAY, MAY 20. AMBASSADOR WILL GO DOWN FOR THE OPENING, AND HOST A LUNCHEON FOR LOCAL AUTHORITIES. SEPTTEL WILL LIST ADMINISTRATIVE STEPS WE ENVISAGE AS NECESSARY IN ORDER MEET THIS SCHEDULE.

2. EMBASSY WISHES MOVE TO GENEVA FSO-5 GARY BASEK WHO NOW HANDLES CITIZENSHIP, PROTECTION AND WELFARE MATTERS IN BERN. BASEK, WHO HAS CONSULAR COMMISSION AND SPEAKS FRENCH, IS PLEASED.

3. SWISS FEDERAL POLITICAL DEPARTMENT (FONMIN) WELCOMES PROSPECT OF REVIVED U.S. CONSULAR PRESENCE IN GENEVA, AND HAS NO RPT NO OBJECTION IF GENEVA OFFICE IS ADMINISTERED

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BY EMBASSY AS BRANCH OFFICE WHICH IS LISTED AS SUCH IN

USG PUBLICATIONS AND DIRECTIVES. HOWEVER, FOR PURPOSE OF SWISS PROTOCOL, PRIVILEGES AND IMMUNITIES, THE OFFICER IN CHARGE WOULD BE CONSIDERED A MEMBER OF THE GENEVA CONSULAR CORPS AND TREATED ACCORDINGLY. HE WOULD RECEIVE AN EXEQUATOR AS A CONSUL, AUTHORIZED TO OPERATE IN CANTONS OF GENEVA AND VAUD. SWISS OFFICIALS SAID IT WOULD BE ANOMALOUS TO ALLOW OFFIER IN CHARGE TO RETAIN FULL DIPLOMATIC STATUS WHEN SUCH STATUS IS NOT ACCORDED TO ANY OTHER CONSULAR OFFICIAL IN GENEVA. (COMMENT: AS PRACTICAL MATTER, CHANGE IN BASEK'S STATUS WOULD MEAN ONLY THAT HE WOULD NO LONGER LEGALLY BE IMMUNE FROM LIABILITY FOR NON-OFFICIAL ACTS. HIS "DUTY-FREE" PRIVILEGES WOULD NOT CHANGE. HE WOULD, IN OTHER WORDS, HAVE SAME IMMUNITY STATUS AS OFFICERS AT CONGEN ZURICH.)

4. ACCORDINGLY, EMBASSY RECOMMENDS THAT THE GENEVA CONSULAR OFFICE BE DESIGNATED A BRANCH OFFICE OF THE EMBASSY (SEPCIAL PURPOSE POST) IN ACCORDANCE WITH 2 FAM 041 C AND F. IN 2. FAM 050 APPENDIX A, SWITZERLAND WOULD THEN BE LISTED AS HAVING, INTER ALIA, AN EMBASSY WITH A CONSULAR DISTRICT CONSISTING OF THE CANTONS OF BERN, GENEVA, FRIBOURG, NEUCHATEL, SOLOTHURN, VALAIS AND VAUD AND THE DEMI-CANTONS OF BASEL-LAND AND BASEL-STADT. THE FOLLOWING SENTENCE WOULD BE ADDED AFTER THE BERN LISTING: "THE EMBASSY WILL PERFORM FOR THE CANTONS OF GENEVA AND VAUD ALL CONSULAR SERVICES OTHER THAN THOSE LISTED UNDER GENEVA". THE SWITZERLAND LISTING WOULD BE EXPANDED TO INCLUDE GENEVA (O). THE FOLLOWING SENTENCE WOULD THEN BE ADDED AFTER THE GENEVA ENTRY: "SPECIAL PURPOSE POST - ADDRESS ALL ADMINISTRATIVE MATTERS TO THE EMBASSY, BERN. THE EMBASSY AT BERN WILL PERFORM ALL CONSULAR SERVICES FOR THE CANTONS OF GENEVA AND VAUD EXCEPT REGISTRATION, PROTECTION, WELFARE AND WHEREABOUTS, PASSPORT, DEATH AND ESTATE FUNCTIONS AND NOTARIALS, AND THE ISSUANCE OF DIPLOMATIC AND OFFICIAL NON-IMMIGRATN VISAS". THERE WOULD BE NO CHANGE IN PRESENT FAM DELINEATIONS OF U.S. CONSULAR DISTRICTS IN SWITZERLAND.

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